

BILL  
~~RESOLUTION~~ NO. R 73-08-35

RESOLUTION NO. R-5973

A RESOLUTION DECLARING THAT NO DRIVEWAY PERMIT SHOULD BE GRANTED FOR ACCESS ON JEFFERSON STREET, FORT WAYNE, INDIANA INCIDENT TO SHELL OIL CO. OPERATION AT THE SOUTHWEST CORNER OF JEFFERSON AND HARRISON STREETS IN THE CITY OF FORT WAYNE, INDIANA.

WHEREAS, Shell Oil Co. has requested from the Indiana State Highway Department permission for a driveway cut on the south side of Jefferson Street immediately west of its intersection with Harrison Street in the City of Fort Wayne, Indiana, which driveway cut would be used for ingress and egress of a gasoline dispensing station and other incidental use at said site; and

WHEREAS, the above location on Jefferson Street is adjacent to a street with high volume traffic movement and the proposed driveway cut, if granted, would not be compatible with existing road conditions and would create conflict with the internal traffic pattern established on said street; and

WHEREAS, the proposed location of the above gasoline dispensing station and incidental services is located at a high frequency accident location as a result of excessive congestion in the area caused by business and traffic; and

WHEREAS, the Transportation Technical Committee of the Three Rivers Coordinating Council on September 12, 1972 recommended that the Shell Oil Co. application for driveway cut be denied; and

WHEREAS, theretofore on February 7, 1973 the driveway permit Engineer of the Indiana State Highway Commission denied such application; and

WHEREAS, on August 2, 1973 the Site Plan and Driveway Sub-Committee of the Transportation Technical Committee of the Three Rivers Coordinating Council again recommended that said application for driveway cut at said location be denied; and

WHEREAS, the District Engineer of the Indiana State Highway Commission on August 6, 1973 stated that the Fort Wayne District of the Indiana State Highway Commission is in agreement with the revised drawing for granting one driveway cut approximately 50 feet south of Jefferson Street on the west side of Harrison Street, and eliminating the two driveways on Jefferson Street as originally proposed.

NOW THEREFORE BE IT RESOLVED that no driveway permit should be granted for access on the South side of Jefferson Street, Fort Wayne, Indiana at the location of the site at or near the intersection of Harrison and Jefferson Streets in the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED that a copy of this resolution adopted by the Common Council of the City of Fort Wayne be submitted to the State Highway Commission of Indiana and a copy of this Resolution also be submitted to the Building Department of the City of Fort Wayne, Indiana.

Vivian G. Schmidt  
Councilman

Approved as to form and legality  
this 14 day of August, 1973.

ADMINISTRATION

Read the first time in full and on motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and duly adopted, read the second time by title and referred to the Committee on \_\_\_\_\_ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: \_\_\_\_\_

CITY CLERK

Read the third time in full and on motion by V. Schmidt, seconded by Talarico, and duly adopted, placed on its passage. Passed (~~LEFT~~) by the following vote:

AYES 6, NAYS 1, ABSTAINED \_\_\_\_\_, ABSENT 2 to-wit:

BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SCHMIDT, D.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 8-14-73

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. B-59-73 on the 14th day of August, 1973.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th day of August, 1973, at the hour of 7:00 o'clock A. M., E.S.T.

CITY CLERK

Approved and signed by me this 20th day of August, 1973, at the hour of 9:00 o'clock A. M., E.S.T.

MAYOR

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3 RESOLUTION NO. R 73-08-35  
4

5 A RESOLUTION DECLARING THAT NO DRIVEWAY  
6 PERMIT SHOULD BE GRANTED FOR ACCESS ON  
7 JEFFERSON STREET, FORT WAYNE, INDIANA  
8 INCIDENT TO SHELL OIL CO. OPERATION  
9 AT THE SOUTHWEST CORNER OF JEFFERSON  
10 AND HARRISON STREETS IN THE CITY OF FORT  
11 WAYNE, INDIANA.

12 WHEREAS, Shell Oil Co. has requested from the Indiana  
13 State Highway Department permission for a driveway cut on the south  
14 side of Jefferson Street immediately west of its intersection with  
15 Harrison Street in the City of Fort Wayne, Indiana, which driveway  
16 cut would be used for ingress and egress of a gasoline dispensing  
17 station and other incidental use at said site; and

18 WHEREAS, the above location on Jefferson Street  
19 is adjacent to a street with high volume traffic movement and  
20 the proposed driveway cut, if granted, would not be compatible  
21 with existing road conditions and would create conflict with the  
22 internal traffic pattern established on said street; and

23 WHEREAS, the proposed location of the above gasoline  
24 dispensing station and incidental services is located at a high  
25 frequency accident location as a result of excessive congestion in  
26 the area caused by business and traffic; and

27 WHEREAS, the Transportation Technical Committee of the  
28 Three Rivers Coordinating Council on September 12, 1972 recommended  
29 that the Shell Oil Co. application for driveway cut be denied; and

30 WHEREAS, theretofore on February 7, 1973 the driveway  
31 permit Engineer of the Indiana State Highway Commission denied  
32 such application; and

33 WHEREAS, on August 2, 1973 the Site Plan and Driveway  
34 Sub-Committee of the Transportation Technical Committee of the Three  
35 Rivers Coordinating Council again recommended that said application  
36 for driveway cut at said location be denied; and

37 WHEREAS, ~~nevertheless~~ the District Engineer of the Indiana  
38 State Highway Commission on August 6, 1973 stated that the Fort Wayne  
39 District of the Indiana State Highway Commission is in agreement with  
40 the revised drawing for granting one driveway cut approximately  
41 50 feet ~~west~~ of Harrison Street on the ~~south side of Jefferson~~  
42 Street, ~~and~~ eliminating the two driveways originally proposed, ~~but~~  
43 ~~any driveway cut on Jefferson Street would not be compatible with~~  
44 ~~existing road and traffic conditions on Jefferson Street.~~

45 NOW THEREFORE BE IT RESOLVED that no driveway permit should  
46 be granted for access on the South side of Jefferson Street, Fort  
47 Wayne, Indiana at the location of the site at or near the intersec-  
48 tion of Harrison and Jefferson Streets in the City of Fort Wayne,  
49 Indiana;

50 BE IT FURTHER RESOLVED that a copy of this resolution adopted  
51 by the Common Council of the City of Fort Wayne be submitted to the  
52 State Highway Commission of Indiana and a copy of this Resolution also  
53 be submitted to the Building Department of the City of Fort Wayne, Indiana.

54  
55  
\_\_\_\_\_  
Councilman

Approved as to form and legality  
this \_\_\_\_ day of August, 1973.

# City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Indiana State Highway Commission Date 8-21-73

From Charles W. Westerman - City Clerk

Subject Resolution No. R-59-73

COPIES TO:

Enclosed is a copy of Resolution No. R-59-73 adopted by the Common Council of the City of Fort Wayne, as requested by the Council.

Charles W. Westerman  
City Clerk

# City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Building Department of the City of Ft. Wayne Date 8-21-73

From Charles W. Westerman

Subject Resolution No. R-59-73

COPIES TO:

Enclosed is a copy of Resolution No. R-59-73 adopted by the Common Council of the City of Fort Wayne, as requested by the Council.

Charles W. Westerman  
City Clerk

# ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

BILL NO.	<i>R-73-08-25</i>
ORDINANCE NO.	<i>R-59-73</i>
REGULAR SESSION	<i>8-14-73</i>
SPECIAL SESSION	
APPROVED AS TO FORM AND LEGALITY	<i>Fleck</i>
BILL WRITTEN BY	
DATE INTRODUCED	<i>8-14-73</i>
REFERRED TO SAID STANDING COMMITTEE	<i>Administrator V. Schmidt</i>
REFERRED TO CITY PLAN	
LEGAL PUBLIC HEARING	
LEGAL PUBLICATION	
JOINT HEARING	
DEPARTMENT HEARING	
HOLD FILE	
<input checked="" type="checkbox"/> PASS	<i>8-14-73</i>
DO NOT PASS	
WITHDRAWN	
SUSPENSION OF RULES	
PRIOR APPROVAL	
ORDINANCE TAKEN OUT OF OFFICE	
OTHER INSTRUCTIONS REGARDING ORDINANCE	
CORRECTIONS MADE TO ORDINANCE	
PEOPLE SPEAKING FOR ORDINANCE	
PEOPLE SPEAKING AGAINST ORDINANCE	

	COMMITTEE SHEET
<input checked="" type="checkbox"/>	VOTE SHEET
	PURCHASE ORDERS
	BIDS
	ORDERS, BIDS OR OTHER PAPERS TAKEN OUT AND BY WHOM
	LETTER REQUESTING ORDINANCE DRAWN UP BY CITY ATTORNEY
	COMMUNICATIONS FROM
	ZONING MAPS
	ABSTRACTS
	TITLES
	PRIOR APPROVAL LETTER

## COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	<input checked="" type="checkbox"/>		
HINGA		<input checked="" type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>		
MOSES	<input checked="" type="checkbox"/>		
NUCKOLS			<input checked="" type="checkbox"/>
D. SCHMIDT			<input checked="" type="checkbox"/>
V. SCHMIDT	<input checked="" type="checkbox"/>		
STIER	<input checked="" type="checkbox"/>		
TALARICO	<input checked="" type="checkbox"/>		

COMMENTS: